

## CHAPTER XII.

AN ACT TO AMEND SECTION TWENTY-FOUR OF TITLE FOUR, CHAPTER SIX OF THE STATUTES AT LARGE, RELATING TO STATE TREASURER'S BOND.

*Be it enacted by the Legislature of the State of Minnesota:*

SECTION 1. That section twenty-four of title four of chapter six of the statutes at large of the state of Minnesota be, and the same is hereby amended so as to read as follows:

Sec. 24. Before entering on his duties the treasurer shall give bond with five or more sureties to be approved by the governor and state auditor, in the sum of four hundred thousand dollars payable to the state of Minnesota and conditioned for the faithful discharge of his duties as treasurer, and shall take and subscribe the oath required by law, which bond and oath shall be deposited with the secretary of state. The legislature may at any time during the continuance in office of the treasurer require him to give such additional security as they may deem necessary for the complete safety of the state.

Shall give bond and take oath.

SEC. 2. This act shall take effect and be in force from and after the fifteenth day of March, A. D. eighteen hundred and seventy four.

When act to take effect.

Approved March 5, 1874,

## CHAPTER XIII.

AN ACT TO PROVIDE FOR THE ISSUANCE OF DUPLICATE STATE WARRANTS IN CASES WHERE THE ORIGINAL WARRANT IS LOST OR DESTROYED.

*Be it enacted by the Legislature of the State of Minnesota:*

SECTION 1. That whenever the state auditor under

When duplicate  
warrant may  
issue.

and by virtue of the provisions of the laws of this state issues any state warrant upon the state treasurer in favor of any state or county office or other person, company or corporation, for the payment of any moneys out of the state treasury, and the said warrant shall become lost or destroyed it shall be the duty of the said state auditor to issue a duplicate warrant in favor of the state or county officer or other person, company or corporation, to whom the original warrant was issued, or to any person, company or corporation legally holding under them, in the manner, and subject to the provisions hereinafter contained in this act.

To give certified  
description of lost  
warrant.

SEC. 2. Whenever any warrant drawn by the state auditor for the payment of any money out of the state treasury as in the first section of this act enumerated, and the same shall become lost or destroyed, any person, company or corporation who was the legal holder or owner of said warrant at the time it so became lost or destroyed, shall make an affidavit particularly describing the said warrant as to date, amount, number, and fund out of which it was to be satisfied, and also shall state in said affidavit such other facts concerning the loss or destruction of the original warrant as he may have in his possession or knowledge, and shall request in such affidavit that a duplicate warrant may be issued in his favor, and shall file the same with the state auditor within one year after the loss of any warrant as aforesaid.

The issuance  
duplicate war-  
rant discretion-  
ary with state  
auditor.

SEC. 3. If it appears that the person, company or corporation filing such affidavit is entitled to receive such duplicate warrant as aforesaid, the state auditor may issue such duplicate warrant as aforesaid in favor of the person, company or corporation who are entitled to receive the same, but if he has any reason to believe, or if it appears possible or probable that any person, company, or corporation may be in anywise damaged by the issuance of such duplicate warrant he shall, in such cases require from the person, company or corporation applying for such duplicate warrant a bond with good and sufficient sureties, which shall be made payable to the state of Minnesota, and shall be drawn in double the amount of the original warrant, and shall be approved by and filed with the state auditor before such duplicate warrant shall issue; conditioned for the benefit of any person, company or corporation damaged by the issuance of such duplicate warrant; and if the state auditor has grave doubts from

any cause that the statements contained in the affidavit are untrue he may, in cases where the amount of the warrant is two hundred dollars or over, publish in some newspaper having general circulation, the circumstances of the case as contained in the affidavit, and shall give notice of some day certain when he will issue such duplicate warrant which shall be not less than thirty days after the first publication of the notice.

SEC. 4. Whenever a duplicate warrant shall be issued under the provisions of this act the original warrant shall thereupon be cancelled and the state of Minnesota relieved from any claim or liability for the payment of such original warrant.

When original warrant may be cancelled.

SEC. 5. The state auditor shall use his discretion in carrying out the provisions of this act as appears to him to be right and in accordance with justice and honesty; *Provided*, That in no case shall the state be liable for any damages accruing under the provisions of this act.

Liabilities to state.

SEC. 6. Warrants may be reduplicated under the provisions of this act in cases where the duplicate becomes lost or destroyed.

When reduplicate may issue.

SEC. 7. Any person who shall secure a duplicate warrant under the provisions of this act who is not legally entitled to the same shall be liable to indictment in any of the courts of this state having jurisdiction for the crime of embezzlement or perjury as the case may be.

Punishment in case of fraud.

SEC. 8. This act shall take effect and be in force from and after its passage.

When act to take effect.

Approved February 13, 1874.

#### CHAPTER XIV.

AN ACT TO AUTHORIZE THE APPOINTMENT OF PRESIDENT OF THE STATE NORMAL SCHOOL BOARD IN CASE OF VACANCY.

*Be it enacted by the Legislature of the State of Minnesota:*

SECTION 1. Whenever from any cause, a vacancy shall exist in the office of president of the state normal